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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,275	12/15/2000	James I. Chong	P1304USA	8128
22903 7590 01/04/2007 COOLEY GODWARD KRONISH LLP ATTN: PATENT GROUP THE BOWEN BUILDING 875 15TH STREET, N.W. SUITE 800 WASHINGTON, DC 20005-2221			EXAMINER HUYNH, SON P	
			ART UNIT 2623	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/736,275	Applicant(s) CHONG ET AL.	
	Examiner Son P. Huynh	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-26 and 28-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-26 and 28-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to amended claims 21-26, 28-40 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues the DeWeese reference is not combinable with the Oya reference because the DeWeese reference is directed to communication within a cable television distribution network using "user television equipment," while the Oya reference involves communication within a computer based network using workstations (e.g. personal computer). Therefore, a combination of the Oya and DeWeese reference is improper (bridge paragraph between page 7 and page 8).

In response, this argument is respectfully traversed. Oya discloses a network with a terminals e.g., a personal computer or the like (see include, but is not limited to, col. 6, lines 1-3). There is nowhere in the Oya reference discloses the network is ONLY used for personal computer.

In addition, DeWeese discloses communication networks connected between the chat server, television facility, user television equipment may be satellite link, telephone network link, a fiber optic link, a cable link, a microwave link, a combination of such links, or any other suitable communication path; the user television equipment comprises keyboard, mouse, DOCSIS modem; the user can uses the user television equipment to access Internet, website, content to a server such as chat server, etc. (see

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include, but is not limited to, paragraphs 0051, 0058, 0059, 0066-0067, 0071, 0084, 0091-0094).

Furthermore, Oya discloses a system comprises video cameras, mouse, microphone, etc.; the video camera captures image, video data and/or sound and transmit over the network to the terminals for display (see include, but is not limited to, col. 3, line 50-col. 4, line 45, figures 1-4). DeWeese also discloses a system comprises video cameras, microphone, keyboard, mouse, etc.; the system captures image/video data, audio, and/or text and transmits over a network to terminals for display (see include, but is not limited to, paragraphs 0051, 0058, 0059, 0066-68, 0091-0094, 0107-0108). Therefore, the combination of Oya and DeWeese is proper.

In response to applicant's argument that there is no motivation to combine the references (page 7, last paragraph), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is found in the references themselves (see DeWeese, paragraphs 0013-0014, 0058, 0107-0108).

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For the reasons given above, rejections on the amended claims are analyzed as discussed below.

Claims 1-20, 27 have been canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21-26, 28-40 rejected under 35 U.S.C. 103(a) as being unpatentable over Oya et al. (US 6,208,379) in view of DeWeese et al. (US 2005/0262542).

Regarding claim 21, Oya discloses a method comprising:

receiving a data-signal at a bidirectional communication switch from a signaling device including at least one of a signaling image transmitting device or a multiview device, the data-signal being at least one of a video signal or audio signal (interpreted as workstation 50 receives data signal from at least one audio/visual input device (i.e. camera/microphone and request from workstations 52,54, the data-signal received from

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the camera/microphone being at least one of video signal (i.e. image) or an audio signal (sound) – figures 1-3);

receiving a request for the data-signal at the bi-directional communication switch from workstation associated with a user (receiving request at workstation 50 from workstation 52,54 – see including, but are not limited to, figures 1-3; col. 7, lines 46-67);

sending the data-signal to the workstation in response to the request based on at least one of an indicator of a priority of the user and an indicator of a location of the signaling device (sending data-signal from camera to workstations 52,54 in response to request based on an indicator of a priority (indicator of privilege) of the user and indicator of a location of the camera that user want to receive data-signal from – see including, but are not limited to, col. 7, line 46-col. 8, line 41, figures 5-9).

Oya also discloses multiple workstations connected one another via the bidirectional communication switch (camera control server at workstation 50 - figures 3, 47). However, Oya does not specifically disclose establishing a video conference between first workstation and a second workstation via a bidirectional communication switch.

DeWeese discloses multiple workstations (user television equipments) are connected to one another via the bidirectional communications (chat server at television distribution facility (figures 1a, 2a); and a video conference (video chat communications) is established between the workstations via the chat server (figures 1a, 2a, 9, 10, 12-16, 24; paragraphs 0015-0017,0058, 0071, 0084, 0107-0108). Thus, the claimed feature

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“establishing a video conference between first workstation and a second workstation via a bidirectional communication switch” is interpreted as establishing a video chat communications between first user television equipment and second user television equipment via chat server. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Oya to use the teaching as taught by DeWeese in order to provide users with the opportunities to engage in real time chat communications with other users (paragraphs 0013-0014, 0058), or to provides user the advantages of being able to see the reactions of others users to comments made during a chat by observing their facial expression and body language, or allow participant use sign language or body language (paragraphs 0107-0108).

Regarding claim 22, Oya in view of DeWeese discloses a method as discussed in the rejection of claim 21. Oya further discloses the signaling device is a camera (figures 1-3). However, Oya in view of DeWeese does not explicitly disclose the camera is a highway traffic surveillance device (highway traffic camera). Official Notice is taken that using camera/surveillance device to monitor traffic on highway is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Oya in view of DeWeese to use the well-known teaching in the art in order to monitor the traffic events on highway such as speeding, congestion, etc. and notify the operator/public of congestion, traffic violator, etc.

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Regarding claim 23, Oya in view of DeWeese discloses a method as discussed in the rejection of claim 21. Oya further discloses authorizing the user to control the signaling device via the workstation based on the at least one the indicator of the priority of the user and indicator of the location of the signaling device, the priority of the user and the location of the signaling device being stored in a data server (authorizing the user to control the camera via workstation 50 based on indicator of the priority of the user (e.g. based on privilege of the user), the user access privilege and locations of the camera are stored at camera management server 68 in workstation 56 – see including, but are not limited to, figures 3,5-9, 12 –13, 16-18, col. 6, line 55-col. 7, line 3).

Regarding claim 24, Oya in view of DeWeese discloses a method as discussed in the rejection of claim 21. Oya further discloses multiple client terminals (i.e. workstations 52,54 – figure 3) connected to the camera management and camera control server (66) image/sound communication software (64) at workstation 50 (figure 3). The workstation 50 provides image/sound received from cameras to multiple different client workstations based on priority of the users at different client workstation and the camera that user requested to be controlled (see including, but are not limited to, figures 3-9, 12-13; col. 6). Oya further discloses group the users (col. 8, line 60-col. 9, line 12; figure 26).

However, Oya does not specifically disclose sending simultaneously the data signal to a second workstation associated with a second user (and to first workstation associated with first user).

DeWeese discloses sending simultaneously the data signal to a second workstation associated with a second user (interpreted as sending chat communications to user television equipment associated with another users in a chat group – see include, but is not limited to, figures 2a-3, paragraphs 0082, 0084, 0091, 0101, 0103, 0107-0111). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Oya to use the teaching as further taught by DeWeese in order provide users with the opportunities to engage in real time chat communications with other users (paragraphs 0013-0014, 0058).

Regarding claim 25, Oya in view of DeWeese discloses a method as discussed in the rejection of claim 21. Oya further discloses the moving-picture data and sound data is compressed for transmission in accordance with an existing compression encoding method (col. 5, lines 1-9) and decompressing the compressed image data by executing the image compression/decompression process (col. 18, lines 1-11). Inherently, the data signal is decoded.

In addition, the limitation “decoding the data signal” is alternatively read on DeWeese’s disclosure of the chat information is decoded by a digital set top box along with the television program signal (see paragraphs 0114-0115, 0123).

Regarding claim 26, the limitations as claimed correspond to the limitations of claims 21, 22, and are analyzed as discussed with respect to the rejection of claims 21-22, and 24.

Regarding claim 28, Oya in view of DeWeese teaches a method as discussed in the rejection of claim 26. DeWeese further discloses a signal associated with the video conference is sent simultaneously with the data signal using a full-duplex operation mode (interpreted as signal associated with the video conference/video chat is sent simultaneously with data signal of television program, text, audio, etc. in bidirectional communication – see include, but is not limited to, figures 2a-3, 10, paragraphs 0011, 0015, 0056-0058, 0071-0072, 0094, 0107, 0108, 0111, 0114-0115).

Regarding claim 29, the additional limitation as claimed is broader in scope than the additional limitation as claimed in claim 23, and are analyzed as discussed with respect to the rejection of claim 23.

Regarding claim 30, Oya in view of DeWeese teaches a method as discussed in the rejection of claim 26. Oya further discloses the user at workstation comprises system administrator and the data signal is sent to the workstation associated with a system administrator (see including, but are not limited to, col. 8, lines 33-41; col. 10, lines 45-56). Thus, first workstation is included in a primary video management center is interpreted as workstation associated with system administrator.

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Regarding claims 31, 33, the limitations of the apparatus correspond to the limitations of the method as claimed in claims 21, 25 respectively, and are analyzed as discussed with respect to the rejection of claims 21 and 25.

Regarding claim 32, Oya in view of DeWeese teaches an apparatus as discussed in the rejection of claim 31. Oya further discloses the bidirectional communication switch (including communication software 64 and camera control server 66 at workstation 50) is configured to send at least one of the control signal (to camera/microphone) or the data signal (to image/sound communication software and camera control client/display at workstation 52,54) based on a location associated with the signaling device (i.e. location of device associated with the request sent by camera control client – see including, but are not limited to, figures 3, 5,7a, 9,12, col. 7, line 46-col. 8, line 42, col. 10, lines 40-65, col. 12, lines 24-64).

Regarding claim 34, the limitations as claimed correspond to the limitations of claims 31 and 32 and are analyzed as discussed in the rejection of claim 31 and 32.

the additional limitation “the bidirectional communications switch is configured to receive an indicator of the priority and an indicator of the location from a data server” is interpreted as camera control server 60 in combination with image/sound communication software 64 receives privilege access and location of camera to be controlled from camera management server 68 – see including, but are not limited to,

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figures 3, 9, 12-13, col. 6, line 4-col. 7, line 3; col. 7, lines 46-67; col. 10, line 40-col. 11, line 47; col. 12, lines 24-64).

Regarding claim 35, the limitations as claimed correspond to the limitations of claims 31 and 32 and are analyzed as discussed in the rejection of claim 31, 32 and 34.

the additional limitation "the data server is configured as at least one of an application server associated with the bidirectional communication switch or a database" is met by camera management server 68 is a software which manages all the camera apparatus connected to network 57, in communication with camera control server 66, image/sound software 64 or a database for store information such as names of all the cameras connected to the network 57, names of the host, setting locations, directions, access conditions and access privileges or the like (col. 6, lines 55-67, figure 3).

Regarding claim 36, Oya in view of DeWeese teaches an apparatus as discussed in the rejection of claim 31. Oya further discloses the bidirectional communication switch (i.e. switch at workstation 50) is a first bidirectional communication switch configured to at least one of send or receive an instruction associated with a second bidirectional communication switch (e.g. receiving instruction associated with camera management server 68 or from camera control client 72 at workstation 52, 54 or sending instruction associated with workstation 52,54,56 – see including, but are not limited to, figures 3, 9, 12, col. 6, lines 5-67; col. 7, lines 48-67; col. 12, line 65-col. 13, line 8).

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Regarding claim 37, Oya in view of DeWeese teaches an apparatus as discussed in the rejection of claim 31. Oya further discloses the signaling device is a first signaling device (interpreted as camera to be controlled/designated camera— see including, but is not limited to, col. 7, lines 46-67);

the bidirectional communication switch (64,66) is configured to send at least one of the control signal or the data signal based on a location associated with at least the first signaling device (location of designated camera – see including, but are not limited to, figures 3, 9, 12, col. 7, lines 46-67; col. 10, lines 40-65; col. 12, line 24-col. 13, line 8);

the bidirectional communications switch (64,66) is configured to send the control signal to the first signaling device (i.e. send control signal to the designated camera), the data signal is captured by the first signaling device (image/sound is captured by the designated camera – figure 5; col. 7, lines 46-67; col. 10, lines 40-65; col. 12, line 24-col. 13, line 8).

Regarding claim 38, Oya in view of DeWeese teaches an apparatus as discussed in the rejection of claim 31. DeWeese further discloses the video conference is a real time video conference (real time video communications – paragraphs 0011, 0015, 0058, 0107-0111).

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Regarding claim 39, Oya in view of DeWeese teaches an apparatus as discussed in the rejection of claim 31. Oya further discloses the signaling device is a surveillance device (camera – figures 1-3).

Regarding claim 40, the additional limitations of the apparatus correspond to the additional limitations of the method as claimed in claim 22, and are analyzed as discussed with respect to the rejection of claim 22.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hatae et al. (US 6,466,260) discloses traffic surveillance system.

Kogane et al. (US 7,028,328) discloses network surveillance video camera system.

Laycock et al. (US 5,509,009) discloses video and aural communication system.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

December 21, 2006



CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600